

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.6687 of 2016 (O&M)
Date of decision : 05.10.2016

Dalbir Singh and another

...Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. K.B. Raheja, Advocate for petitioners.

AMIT RAWAL, J. (Oral)

The petitioners-plaintiffs are aggrieved of the impugned order dated 15.09.2016, whereby application for producing the additional evidence has been dismissed by the Court below.

Mr. K.B. Raheja, Advocate for the petitioners submits that in case, one opportunity is granted, he will conclude the evidence.

I have heard the learned counsel for the petitioners-plaintiffs and appraised the paper book.

However, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant two effective opportunities to the petitioners-plaintiffs to conclude the evidence by examining the witness i.e. two witnesses as per Order 16 Rule 1-A of CPC and one through the process of the Court.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioners-plaintiffs shall be given liberty to conclude the evidence by examining the three witnesses, subject to the cost of ₹5000/-, which shall be condition precedent. If the cost is not paid as directed, the order passed already by the Courts below shall stands restored.

Application is allowed and the present revision petition is accordingly allowed.

05.10.2016

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No